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DATE: JANUARY 7, 2004

TO: JOHN DOLL

FROM: M. WAYNE WESTERN &amp; WEILI CHENG

OUR DOCKET NUMBER: 22155

SUBJECT: S.N. 09/991,933 - REVOCATION OF POA AND APPOINTMENT OF NEW POWER OF ATTORNEY, NEW POWER OF ATTORNEY AND STATEMENT UNDER 37 CFR 3.73( )

PAGE 1 OF: 7

FACSIMILE NUMBER: (703) 305-7230

TRANSMITTED BY: LUCY LEEK, SECRETARY

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PLEASE FILE THESE DOCUMENTS IN THE CASE FILE AND CHANGE THE ATTORNEY OF RECORD TO THAT OF M. WAYNE WESTERN, THORPE NORTH & WESTERN, LLP AND SEND ALL FUTURE PATENT OFFICE COMMUNICATION TO P.O. Box 1219, SANDY, UTAH 84091-1219. TELEPHONE: (801) 566-6633 - FAX: (801) 566-0750

YOUR ASSISTANCE IN THIS MATTER IS GREATLY APPRECIATED.



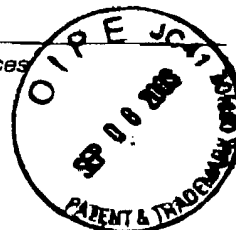
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File No. 82155 Client Echelon (U.S.A.)Serial No. 09/991,933 Atty WC-LLDate Mailed: Sept 3, 2003

Please acknowledge receipt of:

- ☐ Patent Application
- ☐ Drawings \_\_\_\_\_ sheets
  - ☐ Informal ☐ Formal
- ☐ Certificate of Mailing
- ☐ Nonpublication Request
- ☐ Check No. \_\_\_\_\_ for \$ \_\_\_\_\_
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- ☐ IDS, PTO 1449 & References
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- ☐ Request for PCT
- ☐ Demand for PCT examination
- ☐ PCT Fees

☒ Other Revocation of POA  
and Statement 37 CFR 3736 Patent



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(1938-1998)

September 3, 2003

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Re: Application No. 09/991,933  
Filed: November 26, 2001  
Applicant: Beth E. Drées et al  
ASSAYING APPARATUS, KIT, AND METHOD  
FOR LIPIDS AND ASSOCIATED ENZYMES  
Art Unit: 1645  
Attorney Docket No. 22155

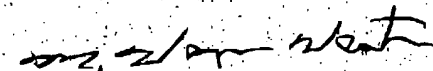
Dear Sir or Madame:

Enclosed for filing in the above-identified patent application are the following documents:


1. Revocation of Power of Attorney and Appointment of New Power of Attorney
2. Statement Under 37 CFR 3.73(b)
3. Power of Attorney

Respectfully submitted,

THORPE NORTH &amp; WESTERN, LLP



M. Wayne Western  
Registration No. 22,788

  
MWW/WC:11  
Enclosures

PTO/SB/92 (06-03)

Approved for use through 11/30/2005. OMB 0651-0035

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# **REVOCATION OF POWER OF ATTORNEY and APPOINTMENT OF NEW POWER OF ATTORNEY**

|                        |               |
|------------------------|---------------|
| Application Number     | 09/991,933    |
| Filing Date            | 11/26/2001    |
| First Named Inventor   | Beth E. Drees |
| Art Unit               | 1645          |
| Examiner Name          |               |
| Attorney Docket Number | 22155         |

I hereby revoke all previous powers of attorney given in the above-identified application:

☒ A Power of Attorney is submitted herewith.

OR

☐ I hereby appoint the practitioners at Customer Number:

☒ Please change the correspondence address for the above-identified application to:

☐ The address associated with Customer Number:

OR

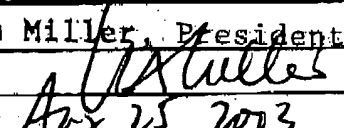
|   |  |       |                |     |            |
|---|--|-------|----------------|-----|------------|
| <input checked="" type="checkbox"/> Firm or Individual Name | M. Wayne Western<br>THORPE NORTH & WESTERN LLP |       |                |     |            |
| Address   | P.O. Box 1219                                  |       |                |     |            |
| Address   |  |       |                |     |            |
| City  | Sandy  |       |                |     |            |
| Country   | US   | State | UT             | Zip | 84091-1219 |
| Telephone   | (801) 566-6633                                 | Fax   | (801) 566-0750 |     |            |

I am the:

☐ Applicant/Inventor.

☒ Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

## **SIGNATURE of Applicant or Assignee of Record**

|           |   |           |                |
|-----------|---|-----------|----------------|
| Name      | Tim Miller, President, Echelon Research Laboratories, Inc.                          |           |                |
| Signature |  |           |                |
| Date      | Aug 25, 2003  | Telephone | (801) 588-0455 |

NOTE: Signatures of all the inventor or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☐ Total of \_\_\_\_\_ forms are submitted.

This collection of information is required by 37 CFR 1.36. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/96 (04-03)

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**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: Beth E. Drees et alApplication No./Patent No.: 09/991,933 Filed/Issue Date: 11/26/2001Entitled: Assaying Apparatus, Kit, and Method for Lipids and Associated EnzymesEchelon Research Laboratories, a Corporation  
(Name of Assignee) Inc. (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by percentage) of its ownership interest is \_\_\_\_\_ %  
in the patent application/patent identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 012331, Frame 0320, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

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☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☐ Copies of assignments or other documents in the chain of title are attached.  
(NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08)

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Aug 20, 2003  
Date  
(801) 588-0455  
Telephone number

Tim Miller  
Typed or printed name  
[Signature]  
Signature  
President  
Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Attorney Docket No. 22155

**POWER OF ATTORNEY**

Echelon Research Laboratories, Inc., a corporation, organized and existing under the laws of the State of Utah, having a business address of 675 Arapleen Drive, Suite 302, Salt Lake City, Utah 84108, owner of all right, title and interest in the invention entitled ASSAYING APPARATUS, KIT, AND METHOD FOR LIPIDS AND ASSOCIATED ENZYMES for which an application for United States Letters Patent which was filed on November 26, 2001, and given U.S. Patent Application Serial No. 09/991,933, and empowered to prosecute the U.S. and foreign applications on behalf of the inventors, hereby appoint as its attorneys and/or patent agents the law firm of THORPE NORTH & WESTERN, LLP, having a business address of 8180 South 700 East, Suite 200, Sandy, Utah 84070, and VAUGHN W. NORTH, Registration No. 27,930; M. WAYNE WESTERN, Registration No. 22,788; CLIFTON W. THOMPSON, Registration No. 36,947; GARRON M. HOBSON, Registration No. 41,073; PETER M. DE JONGE, Registration No. 47,521; WEILI CHENG, Registration No. 44,609; DAVID R. MCKINNEY, Registration No. 42,868; STEVE M. PERRY, Registration No. 45,357; GARY P. OAKESON, Registration No. 44,266; DAVID W. OSBORNE, Registration No. 44,989; JASON R. JONES, Registration No. 51,008; ERIK S. ERICKSEN, Registration No. 48,954; DAVID L. STOTT, Registration No. 43,937; and PAUL C. OESTREICH; all with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

All correspondence concerning this application should be directed to:

**M. Wayne Western**  
**THORPE NORTH & WESTERN, LLP**  
**P.O. Box 1219**  
**Sandy, Utah 84091-1219**  
**Telephone: (801) 566-6633**  
**Facsimile: (801) 566-0750**

Power of Attorney

US Patent Application No. 09/991,933

Page 2 of 2

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Dated this 25 day of August 2003 at Salt Lake City, Utah.

ECHELON RESEARCH LABORATORIES, INC.

By



Tim Miller  
President

H:\FILES\22000\22155\PowerofAttorney with serial number.doc